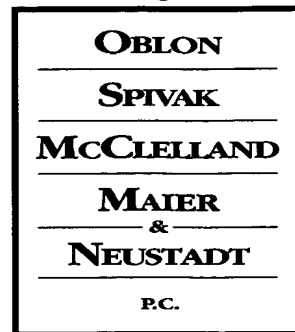




Docket No.: 205018US6

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313



ATTORNEYS AT LAW

RE: Application Serial No.: 09/811,516
Applicants: Tomoshi HIRAYAMA
Filing Date: March 20, 2001
For: INFORMATION PROCESSING APPARATUS,
INFORMATION PROCESSING METHOD,
INFORMATION PROCESSING SYSTEM AND
RECORDING MEDIUM
Group Art Unit: 2134
Examiner: J. Lipman

SIR:

Attached hereto for filing are the following papers:

Provisional Election

Our check in the amount of _____ is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
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DOCKET NO: 205018US-6



IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :
TOMOSHI HIRAYAMA : EXAMINER: J. LIPMAN
SERIAL NO: 09/811,516 :
FILED: MARCH 20, 2001 : GROUP ART UNIT: 2134
FOR: INFORMATION PROCESSING :
APPARATUS, INFORMATION
PROCESSING METHOD, INFORMATION
PROCESSING SYSTEM AND
RECORDING MEDIUM

RESPONSE TO RESTRICTION REQUIREMENT

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

This communication is in response to the Restriction Requirement dated September 21, 2004.

REMARKS

In response to the restriction requirement stated in the outstanding Official Action, Applicants provisionally elect, with traverse, Group I, Claims 1-7 for further examination on the merits in the present application.

Applicants respectfully traverse the Restriction requirement as:

MPEP § 803 states:

If the search and examination of an entire application can be made without serious burden, the Examiner must examine it on the merits, even though it includes claims to distinct or independent inventions.

The claims of the present invention would appear to be part of an overlapping search area.¹
Accordingly, Applicants also respectfully traverse the outstanding Election requirement on the grounds that a search and examination of the entire application would not place a *serious* burden on the Examiner.



Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

Bradley D. Lytle
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Scott A. McKeown
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¹To do justice to either identified group of claims, it is respectfully submitted that it would be necessary to search in the subclasses identified in paragraph 1 at page 2 of the outstanding Official Action.